

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): John Isbell Shipp

EXAMINER: Vi X. Nguyen

SERIAL NO.: 10/709,297

GROUP: Art Unit 3734

FILED: April 27, 2004

DATED: August 17, 2009

TITLE: **SURGERY DELIVERY DEVICE AND MESH ANCHOR**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Filed Via EFS-Web
Confirmation No.: 3296

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO/SB/08A is brought to the attention of the Examiner. Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

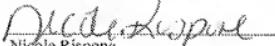
Pursuant to 37 C.F.R. 1.98, a concise explanation of each document not in the English language is as follows:

An English language translation of FR 2377796 is not available at this time, however, Applicant submits that FR 2377796 corresponds to U.S. Patent No. 4204541 and thus reference may be made to U.S. Patent No. 4204541 for the teachings of FR 2377796. A copy of FR 2377796 has been provided.

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being transmitted on the date below with the United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, via electronic submission.

Dated: August 17, 2009


Nicole Risponc

FR 2299548 appears to relate to a helical fastener and a device for installation. A copy of FR 2299548 has been provided.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

This information disclosure statement is being filed within three (3) months of the filing date of this application.

This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.

This information disclosure statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114.

To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.

Applicant(s) hereby state(s) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this statement as set forth in 37 C.F.R. §1.97(e)(1).

Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).

Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))

Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).

Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

The claims in the present application are believed to be patentable over the prior art and are in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Matthew S. Lowe
Reg. No.: 60,858
Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road - Suite 420
Melville, New York 11747
Tel.: (631) 501-5700
Fax: (631) 501-3526
MSL/nr